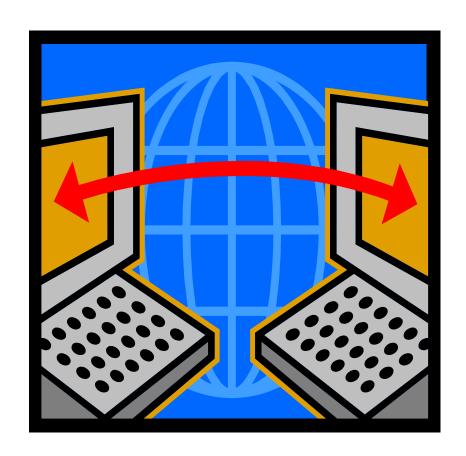
## **CM/ECF Version 3.2**

# A Guide to the New Features for Attorneys and Law Firm Staff



United States District Court, Western District of Missouri
May 2008
CM/ECF Version 3.2

### TABLE OF CONTENTS

Transcripts Available Online – Policies and Procedures	1-2
•	
Creating an Appendix	2-4

## **Version 3.2 Enhancements & Changes**

#### TRANSCRIPTS AVAILABLE ONLINE – POLICIES AND PROCEDURES<sup>1</sup>

The Judicial Conference Committee on Court Administration and Case Management has developed a policy with regard to court reporter/transcriber-generated transcripts filed in the CM/ECF system. As a result of these recommendations, beginning May 23, 2008, court reporters will file transcripts online.

- Electronic availability of transcripts:
  - For all transcripts filed with the Court, court reporters will provide the Court with one copy (electronic) for inspection only, for a 90 day period.
  - During the first 90 days, counsel may purchase a copy of the transcript from the court reporter or transcriber at the rate established by the Judicial Conference.
  - Attorneys who have purchased a copy of the transcript will also be able to obtain remote electronic access for the purpose of creating hyperlinks to the transcript in court filings and other purposes. All PACER charges will apply for attorneys who access the document via CM/ECF. The charge for viewing transcripts is <u>not</u> subject to the 30 page cap.
  - After the 90-day period has ended, the filed transcript will be available for inspection and printing in the clerk's office and for download from the court's CM/ECF system through PACER.

#### • Redaction Requirements:

- All counsel are responsible for reviewing the electronic transcript for the purpose of requesting redactions to information that would reveal personal identifiers of those included in the transcript.
- A notice of intent to redact must be filed within seven (7) calendar days of the delivery of the official transcript to the clerk's office.<sup>2</sup>
- Counsel must review the following portions of the transcript for personal identifiers:
  - opening and closing statements made on the party's behalf;
  - statements of the party;
  - the testimony of any witness called by the party; and,
  - any other portion of the transcript as ordered by the court.

<sup>&</sup>lt;sup>1</sup> This procedure is subject to final approval of Local Rule 80.1 regarding Transcript Policy which is open for comment through 5/23/08.

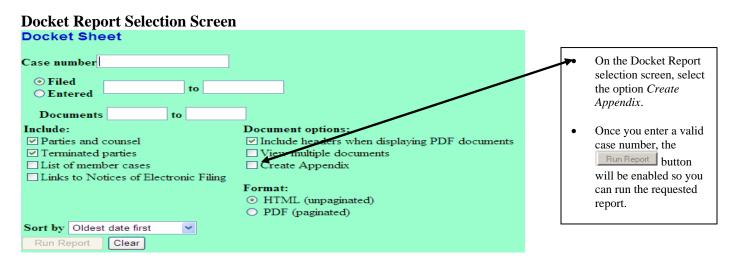
<sup>&</sup>lt;sup>2</sup> At the Judicial Conference's March meeting the number of days was changed from 5 business days to 7 calendar days.

- Attorneys serving as "stand by" counsel for pro se defendants in a criminal case must review the same portions of the transcript as if the pro se defendant were his or her own client. (Attorney is entitled to compensation under CJA.)
- If redaction is requested, counsel or the party must electronically file with the court a statement indicating where the personal data identifiers to be redacted appear in the transcript (Page and line numbers). This must be done within 21 calendar days of the transcripts' delivery to the clerk.
  - These procedures are limited to those specific personal data identifiers listed in Federal Rules Criminal Procedure 49.1 and Federal Rules Civil Procedure 5.2. If counsel wishes to redact additional information, he or she must make a motion to the court. The transcript shall not be made available electronically until the court has ruled on such a motion.
- The court reporter must complete said redactions within 31 days of the delivery of the transcript to the clerk of court (or longer if the court so orders). He or she will then file a redacted version of the transcript. The electronic version of the unredacted transcript will be retained by the clerk as a restricted document.
- The redacted version of the transcripts will not be available on PACER until the 90-day period has passed.
- If no redactions are requested by counsel, the electronic transcript will be made available to the public at the end of the 90-day period, unless otherwise ordered by the court.

#### **CREATING AN APPENDIX**

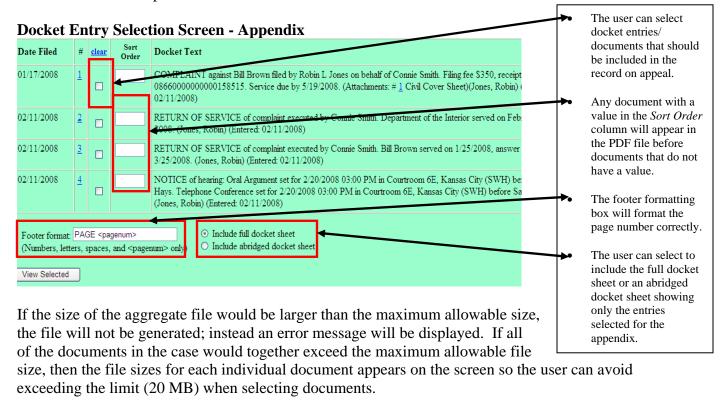
For attorneys who have a case on appeal, counsel will now be able to create an appendix (including numbering) using the docket sheet menu.

To create the Appendix, log in using your PACER account. Select "Reports" from the blue menu bar then *Docket Report*. The *Create Appendix* option is displayed on the Docket Report selection screen.

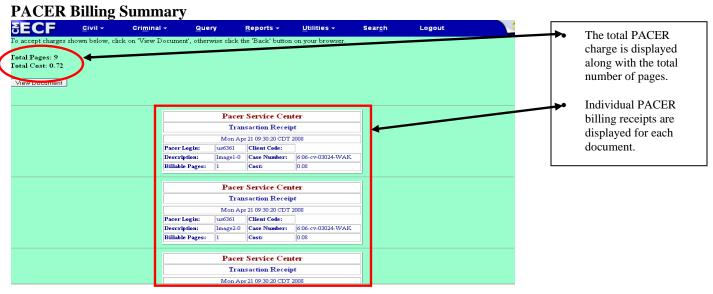


The docket sheet is displayed with checkboxes next to each docket entry. The user can select docket entries/documents that should be included in the record on appeal.

The *Sort Order* column allows the user to dictate the sort order for the documents to be included in the PDF file. Any documents with a value in the *Sort Order* column will appear in the PDF file before documents that do not have a specified sort order. The entries on the docket sheet will not be changed to reflect the values specified in the *Sort Order* column.



A summary of PACER billing will be provided for the selected documents. The PACER user will be charged for the docket sheet from which the documents are selected, but not for the docket sheet that is included in the PDF file.



On the docket sheet that is included in the PDF file, each docket entry for which one or more documents is included in the appendix will show the page number of the first document in that docket entry.

Sample of Docket Sheet that is Included in the Appendix The Page column Defendant displays the page represented by Shirley P Cotton Terry Barry number which Lerner and Lowe, Inc. 1301 Della Street represents the first Boerne, TX 78123 page of that document 210–666–7788 LEAD ATTORNEY ATTORNEY TO BE NOTICED in the Appendix. Date Filed 01/15/2008 NOTICE OF REMOVAL from Circuit Court of Absolute County, Missouri, case number 01-23456, filed by Shirley P Cotton on behalf of Terry Barry. Filing fee \$ 350, receipt number 6514654646. (Attachments: #<u>1</u> State Court Petition, #<u>2</u> Civil Cover Sheet)(Jones, Robin) (Entered: 04/15/2008) 01/15/2008 2 ANSWER to Complaint (Notice of Removal) filed by Shirley P Cotton on behalf of Defendant Terry Barry. (Jones, Robin) (Entered: 04/15/2008) 01/15/2008 <u>3</u> Notice of EAP assignment to Program Administrator

(Attachments: #1 EAP General Order)(Jones, Robin) (Entered: 04/15/2008)